UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,821	04/27/2001	Doo Sang Park	2080-3-18	3336

35884 7590 09/07/2006

LEE, HONG, DEGERMAN, KANG & SCHMADEKA
801 S. FIGUEROA STREET
12TH FLOOR
LOS ANGELES, CA 90017

EXAMINER	
AILES, BENJAMIN A	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/844,821	PARK, DOO SANG	
	Examiner	Art Unit	
	Benjamin A. Ailes	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-22 remain pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 June 2006 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al. (US 6,937,699 B1), hereinafter referred to as Schuster.

5. Regarding claim 1, Schuster teaches an information display apparatus comprising "a gateway system for converting protocols of an external network and a local network for information exchange between the external network and local network" (see figure 2) and "a plurality of terminals connected to the local network (see figure 1, item 116 and 108d) wherein each of the plurality of terminals exchanges call setup information with the gateway system" (col. 3, line 64 – col. 4, line 7). Schuster teaches

a method of transporting commercial messages in the form of image and/or textual data over the network from a commercial message server that is controlled by a service provider (col. 16, line 62 – col. 17, line 5) which teaches on "an information server for storing information transmitted from the external network or local network." Schuster does not clearly teach the limitation "determining status of each terminal based on call status information included in the call setup information exchanged between each terminal and the gateway system, transmitting the information to each terminal in an on-hook status thereof after checking the on-hook status of the terminal, and displaying the information on a display unit of the terminal" but it is suggested. Schuster does provide the environment wherein information is sent from an information server to a terminal which is capable of displaying the terminal regardless of the terminal being on-hook or off-hook as mentioned above (col. 16, line 62 – col. 17, line 5) and further provides an embodiment wherein a user is provided with a commercial message when connection is made to a telephony connection server in order to make a connection to another party and be in an "off-hook" status (see col. 17, lines 27-39). Therefore, it is taught by Schuster to display information retrieved from an information server when in an "off-hook" condition and also taught broadly to display information retrieved from an information server when in any condition. Therefore, the ability to display information when the user terminal is in an "on-hook" condition is deemed an obvious variation of Schuster. One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to display information on a user terminal when the user terminal is recognized to be in an "on hook" status. One of ordinary skill in the art would have been

motivated to enable the ability to display information on a user's terminal display when in an on hook status to create new features and enhancements to telephony service and further enhance advertising which may generate revenue and provide new opportunities (col. 3, lines 26-45).

6. Regarding claim 2, Schuster teaches the apparatus wherein the plurality of terminals are PC phones and Internet phones using Internet protocols for data communications (col. 9, ll. 30-36).

7. Regarding claim 3, Schuster teaches the apparatus wherein each terminal includes a memory means for storing information transmitted from the information server (see figure 2B, items 241 and 251l col. 12, ll. 20-26). Schuster further teaches a display function for displaying the call status of a telephone call in progress and the names or user identifiers of the other party or parties participating in the call which teaches "voice communication-related information is displayed when an off-hook status is detected." . Schuster does provide the environment wherein information is sent from an information server to a terminal which is capable of displaying the terminal regardless of the terminal being on-hook or off-hook as mentioned above (col. 16, line 62 – col. 17, line 5) and further provides an embodiment wherein a user is provided with a commercial message when connection is made to a telephony connection server in order to make a connection to another party and be in an "off-hook" status (see col. 17, lines 27-39). Therefore, it is taught by Schuster to display information retrieved from an information server when in an "off-hook" condition and also taught broadly to display information retrieved from an information server when in any condition. Therefore, the

ability to display information when the user terminal is in an "on-hook" condition is deemed an obvious variation of Schuster. One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to display information on a user terminal when the user terminal is recognized to be in an "on hook" status. One of ordinary skill in the art would have been motivated to enable the ability to display information on a user's terminal display when in an on hook status to create new features and enhancements to telephony service and further enhance advertising which may generate revenue and provide new opportunities (col. 3, lines 26-45).

8. Regarding claim 4, Schuster teaches the apparatus wherein the control means of the terminal judges a call status of the terminal itself (col. 12, ll. 17-24).

9. Regarding claim 5, Schuster teaches the apparatus wherein the possible call status of the terminal is one of an on-hook status or an off-hook status (col. 12, ll. 17-24).

10. Regarding claim 6, Schuster teaches the apparatus wherein the terminal includes a display means for displaying information stored in the memory means of the terminal (see figure 1).

11. Regarding claim 7, Schuster teaches the apparatus wherein the information server includes a memory means for storing information transmitted from the external network, and a control means for judging the respective call status of each of the plurality of terminals (col. 11, ll. 52-60).

12. Regarding claim 8, Schuster teaches the apparatus wherein the control means of the information server transmits the information stored in the memory means thereof to each terminal in an on-hook status (col. 13, ll. 48-51).

13. Regarding claim 9, Schuster teaches the apparatus wherein the control means of the information server updates contents of the memory means of the information server when new information is received thereby (col. 13, ll. 48-51).

14. Claims 10-18 contain similar subject matter and are rejected under the same rationale as claims 1-9.

15. Claim 19 contains similar subject matter and is rejected under the same rationale as claim 1.

16. Regarding claim 20, Schuster teaches the method wherein in the transmitting step the stored information is transmitted to the plurality of terminals based on judging a call status of a pre-selected one of the plurality of terminals (col. 13, ll. 48-51).

17. Regarding claim 21, Schuster teaches the storing the received information at each terminal (fig. 2B); and judging the call status of each terminal storing the information (col. 12, ll. 17-20). . Schuster does provide the environment wherein information is sent from an information server to a terminal which is capable of displaying the terminal regardless of the terminal being on-hook or off-hook as mentioned above (col. 16, line 62 – col. 17, line 5) and further provides an embodiment wherein a user is provided with a commercial message when connection is made to a telephony connection server in order to make a connection to another party and be in an "off-hook" status (see col. 17, lines 27-39). Therefore, it is taught by Schuster to

display information retrieved from an information server when in an "off-hook" condition and also taught broadly to display information retrieved from an information server when in any condition. Therefore, the ability to display information when the user terminal is in an "on-hook" condition is deemed an obvious variation of Schuster. One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to display information on a user terminal when the user terminal is recognized to be in an "on hook" status. One of ordinary skill in the art would have been motivated to enable the ability to display information on a user's terminal display when in an on hook status to create new features and enhancements to telephony service and further enhance advertising which may generate revenue and provide new opportunities (col. 3, lines 26-45).

18. Regarding claim 22, Schuster teaches ceasing the display of the stored information on the terminal and displaying voice communication-related information when the terminal assumes an off-hook status, and again displaying the stored information when the terminal next assumes an on-hook status (col. 12, ll. 17-26).

Response to Arguments

19. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Light et al. (US 6,483,900 B1) teaches a method and apparatus for obtaining telephone status over a network.

Ander et al. (US 6,301,342 B1) teaches a method relating to telephone communications including the transmission of advertising messages.

Zirngibl et al. (US 6,829,334 B1) teaches a system and method for the creation and automatic deployment of personalized, dynamic and interactive voice services, with telephone-based service utilization and control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

baa

BEATRIZ PRIETO
PRIMARY EXAMINER